

Notice of Allowability

Application No.

10/718,085

Examiner

Robert R. Raevis

Applicant(s)

STREIT ET AL.

Art Unit

2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11-19-03.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ The drawings filed on 19 November 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11-19-03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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Allowable Subject Matter

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ohtsu et al make reference (col. 2 lines 1-20) to compensating for the offset value (of longitudinal acceleration) when it is determined that there is a change in inclination of a slope, and states (col. 14, lines 10-12) that sensor output "can be properly corrected by the inclination dependent offset value" (col. 14, lines 6-7) after application of braking ("brakes are applied" on col. 14, line 3). However, the reference does not utilize the "when the vehicle is standing still with the brake applied" (line 5 of Applicant's claim 1, and lines 7-8 from last of Applicant's claim 6) and "after the brake is released following the vehicle standstill" (lines 8-9 of Applicant's claim 1, and lines 4-5 from last of Applicant's claim 6) limitations.

Maleki make reference (ABSTRACT) to calibrating a longitudinal acceleration sensor after the sensor is installed, and (col. 2, lines 17-37) provides an equation to determine "zero position" (col. 2, line 27). However, the reference does not utilize the "when the vehicle is standing still with the brake applied" (line 5 of Applicant's claim 1, and lines 7-8 from last of Applicant's claim 6) and "after the brake is released following the vehicle standstill" (lines 8-9 of Applicant's claim 1, and lines 4-5 from last of Applicant's claim 6) limitations.

Nagahara et al make general reference to an offset adjustment circuit 29, 35.

The following is a statement of reasons for the indication of allowable subject matter: As to claims 1 and 6, note was made of the combination of the "when the

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vehicle is standing still with the brake applied" (line 5 of Applicant's claim 1, and lines 7-8 from last of Applicant's claim 6) and "after the brake is released following the vehicle standstill" (lines 8-9 of Applicant's claim 1, and lines 4-5 from last of Applicant's claim 6) limitations in combination with remaining claim limitations in each of those two claims. None of the cited references suggests application of braking in such a manner to determine offset value as claimed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert R. Raevis whose telephone number is 571-272-2204. The examiner can normally be reached on Monday to Friday from 7am to 4pm. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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